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Applicant: Robert J. Peach, et al. **Examiner:** Not Yet Known
Serial No.: 09/865,321 **Group Art Unit:** 1646
Filed: May 23, 2001 **Docket No.:** D0028NP;30436.57USU1
Title: SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on May 1, 2002.


By: Tracy Truick

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Supplemental Information Disclosure Statement is being filed herewith as a supplement to Applicant's June 19, 2001, Information Disclosure Statement which was submitted under 37 C.F.R. §1.97 (b)(1) within three months of the filing date of the national application (i.e. before August 23, 2001). In accordance with 37 C.F.R. §1.98(d), copies of Exhibits 114-138 as set forth in the Form 1449 are included herewith.

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. They are as follows:

- Becker, J.C., March 8, 2001, Abstract and of Presentation of "A multi-center, randomized, double-blind, placebo controlled study to evaluate the safety and preliminary clinical activity of multiple doses of CTLA4Ig and LEA29Y administration intravenously to subjects with rheumatoid arthritis," presented at American College of Rheumatology Conference: "2001 Innovative Therapies in Autoimmune Diseases," San Francisco, California (**Exhibit 114**)
- Aruffo, S., March 27, 2000, Presentation of "Approaches to Immune Regulation" at BIO 2000 in Boston, Mass. (**Exhibit 115**)

- Abrams, et al., September 4, 2000, *J.Exp.Med.* "Blockade of T Lymphocyte Costimulation with Cytotoxic T Lymphocyte- associated Antigen 4-Immunoglobulin (CTLA4Ig) Reverse the Cellular Pathology of Psoriatic plaques, Including the Activation of Keratinocytes, Dendritic Cells, and Endothelial Cells, " 192:681-693. **(Exhibit 116)**
- Srinivas, N.R. et al., December 1, 1995, *J.Pharmaceutical Sciences* "Pharmacokinetics and pharmacodynamics of CTLA4Ig (BMA-188667), a Novel Immunosuppressive Agent, in Monkeys following Multiple Doses," 85:1-4. **(Exhibit 117)**
- Gandhi, et al., November 18, 1998, Abstract and Presentation of *PharmSci Supplement* "Physical and Chemical Characterization of BMS-224818, A Recombinant Fusion Protein," in San Francisco, Ca.
(Exhibit 118)
- Flesher, A.R., April 15, 1999, *Biological Process Sciences* Presentation of 'Transgenic Production, A Comparative Study' at Bio 99 in Seattle, Washington. **(Exhibit 119)**
- Greve, K.F., May 9, 1996, *J Chromatography* "Capillary electrophoretic examination of underivatized oligosaccharide mixtures released from immunoglobulin G antibodies and CTLA4Ig fusion protein," 749:237-245. **(Exhibit 120)**
- Srinivas, N.R., April 8, 1997, *Pharmaceutical Research* "Assessment of Dose Proportionality, Absolute Bioavailability, and Immunogenicity Response of CTLA4Ig (BMS-188667), a Novel Immunosuppressive Agent, Following Subcutaneous and Intravenous Administration to Rats," 14:911-916. **(Exhibit 121)**
- Weiner, R.S., November 6-10, 1994, Abstract and Presentation of "Validation and PK Application of a Double Antibody Sandwich Enzyme Immunoassay For the Quantitation of Human CTLA4Ig Fusion Protein (BMS-188667) In Mouse Serum," **(Exhibit 122)**
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- Warner, G.I. et al., March 16-22, 1995, Abstract and Presentation of “Bioactivity of BMS-188667 (CTLAIg) in Cynomolgus Monkeys,” in Seattle, Washington. **(Exhibit 124)**
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- Webb, L.M.C. et al., July 23, 1996 *Eur J Immunol* “Prevention and amelioration of collagen-induced arthritis by blockade of the CE28 co-stimulatory pathway: requirement for both B7-1 and B7-2” 26:2320-2328. **(Exhibit 128)**
- Knoerzer, et al., May 5, 1995, *J Clin. Invest* “Collagen-induced Arthritis in the BB Rat Prevention of Disease by Treatment with CTLA4Ig” 96:987-993. **(Exhibit 129)**
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- Larsen, et al., May 13-17, 2000, A Presentation of “Prolongation of Renal Allograft Survival With Blockade of the CD28 Pathway Using A Novel Mutant CTLA4-Ig Protein In Nonhuman Primates” at the American Society of Transplantation Meeting in Chicago, Il. **(Exhibit 131)**
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- Sfrikakis, et al., November 29, 1994 *Arthritis & Rheumatism* "CD28 Expression On T Cell Subsets in Vivo And CD28-Mediated T Cell Response In Vitro In Patients With Rheumatoid Arthritis," 38:649-654. **(Exhibit 136)**
- U.S. Patent No. 5,434,131, July 18, 1995. **(Exhibit 137)**
- PCT No. WO 02/02638 A2, January 10, 2002. **(Exhibit 138)**

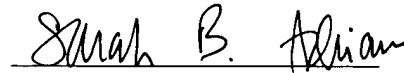
No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that the references have been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. § 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Robert J. Peach, et al.
Serial No. 09/865,321
Filed: May 23, 2001
Page 5

No fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-0306.

Respectfully submitted,



Sarah B. Adriano
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Title: SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

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CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this paper or fee is being deposited with the United States Postal as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on May 1, 2002.

By: 

Name: Tracy Truick

35 N. Arroyo Parkway, Suite 60
Pasadena, California 91103
May 1, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.
- ☒ Supplemental Information Disclosure Statement (37 C.F.R. §1.97(b)(1))
- ☒ Form 1449 (Information Disclosure Statement)
- ☒ Exhibits 114 - 138
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

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(626) 395-7801

By: 

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Reg. No.: 34,470
Initials: SBA
Customer No. 26,941

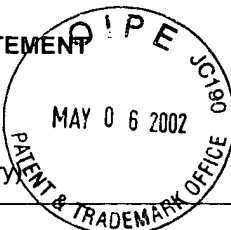
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FORM 1449*

INFORMATION DISCLOSURE STATEMENT
IN AN APPLICATION

(Use several sheets if necessary)



Docket Number

30436.57USU1

Application Number

09/865,321

Applicant

Robert J. Peach et al.

Filing Date

May 23, 2001

Group Art Unit

1646

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLAS S | FILING DATE IF APPROPRIATE |
|---------------------|----------------------------|---------|----------------|-------|--------------|-------------------------------|
| | 5,434,131 (Exhibit 137) | 7/18/95 | Linsley et al. | | | 5/26/93 |

FOREIGN PATENT DOCUMENTS

| DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLAS S | TRANSLATION |
|------------------------------|---------|---------|-------|--------------|-------------|
| | | | | | YES NO |
| WO 02/02638 A2 (Exhibit 138) | 1/10/02 | PCT | | | X |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | Becker, J.C., March 8, 2001, Abstract and of Presentation of "A multi-center, randomized, double-blind, placebo controlled study to evaluate the safety and preliminary clinical activity of multiple doses of CTLA4Ig and LEA29Y administration intravenously to subjects with rheumatoid arthritis," presented at American College of Rheumatology Conference: "2001 Innovative Therapies in Autoimmune Diseases," San Francisco, California (Exhibit 114) |
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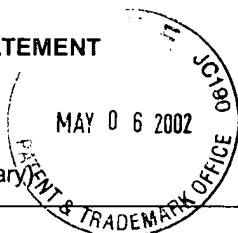
EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

*Substitute Disclosure Statement Form (PTO-1449) Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

| | | |
|---|------------------------|--------------------|
| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number | Application Number |
| | 30436.57USU1 | 09/865,321 |
| | Applicant | |
| | Robert J. Peach et al. | |
| | Filing Date | Group Art Unit |
| | May 23, 2001 | 1646 |



| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
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| | | Weiner, R.S., November 6-10, 1994, Abstract and Presentation of "Validation and PK Application of a Double Antibody Sandwich Enzyme Immunoassay For the Quantitation of Human CTLA4Ig Fusion Protein (BMS-188667) In Mouse Serum," (Exhibit 122) |
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